



CITY OF FREMONT NEBRASKA

SPECIAL CITY COUNCIL MEETING & REGULAR CITY COUNCIL MEETING MINUTES

April 27, 2021

Special Meeting – 5:30 PM

Public Comment – 6:30 PM

Regular Meeting – 7:00 PM

City Council Chambers 400 East Military, Fremont NE

SPECIAL CITY COUNCIL MEETING

5:30 PM

MEETING CALLED TO ORDER Mayor Spellerberg called the Special City Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, Kuhns and Jensen present. 8 Council Members present.

1. Status report on existing conditions and visioning workshops from Houseal-Lavigne. Report provided by Houseal-Lavigne with discussion.

ADJOURNMENT Motion made by Gibson, seconded by Jensen to adjourn; time: 6:26 P.M. Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Jensen, Kuhns. Motion carried.

CITY COUNCIL REGULAR MEETING

7:00 PM – Following the preceding Meeting

MEETING CALLED TO ORDER. Following the Pledge of Allegiance, Mayor Spellerberg called the City Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, Kuhns and Jensen present. 8 Council Members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the April 27, 2021 Regular Meeting. Motion made by Jensen, seconded by Legband to continue item #16 and #17 to the May 11, 2021.

Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Gibson, seconded by Yerger to approve the agenda as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Jensen, seconded by Kuhns to approve consent agenda items 2, 4, 6, 9 & 10. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

2. Motion to approve April 14, 2021 through April 27, 2021 claims and authorize checks to be drawn on the proper accounts
3. Dispense with and approve April 13, 2021 City Council and Special City Council Meeting Minutes. The spelling of Catz Angels will be corrected in the minutes. Motion made by Legband, seconded by Gibson to approve April 13, 2021 City Council and Special City Council Meeting Minutes. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
4. Motion to approve the discharge of fireworks for the Fremont Moo on six dates in May, June and July 2021
5. Resolution 2021-061 approving the Change Order to Contract for Purchase of Substation (H) Control House with Siemens Industry Inc. Motion made by Legband, seconded by Jensen to receive updated staff report and resolution reflecting reduction in change order amount. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Kuhns, seconded by Yerger to amend the resolution to reflect the received document. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Kuhns, seconded by Gibson to approve Resolution 2021-061 as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
6. Resolution 2021-062 accepting and awarding the proposal of Environmental Systems Research Institute, Inc (ESRI) an agreement for Geographic Information Systems (GIS) services
7. Motion to approve liquor license location change for Taco Smack - 245 E. 5th Street Motion made by Yerger, seconded by Sookram to continue the item until the May 11, 2021 City Council Meeting. Voting Yea: Yerger, Ellis, Jensen, Legband, Sookram, Ganem, Gibson Voting Nay: Kuhns. Motion carried.
8. Motion to approve addendum to Real Estate Purchase Agreement dated January 12, 2021 with McGinn Holdings, LLC to extend Due Diligence Period an additional ninety (90) days. Motion made by Yerger, seconded by Ellis to amend the Real Estate Purchase Agreement dated January 12, 2021 with McGinn Holdings, LLC to extend Due Diligence Period an additional forty-five (45) days. Voting Yea: Yerger, Ellis. Nays: Jensen, Legband, Sookram, Ganem, Gibson, Kuhns. Motion failed. Motion made by Kuhns, seconded by Sookram to approve addendum to Real Estate Purchase Agreement dated January 12, 2021 with McGinn Holdings, LLC to extend Due Diligence Period an additional ninety (90)

days. Voting Yea: Jensen, Legband, Sookram, Ganem, Gibson, Kuhns. Nays: Yerger, Ellis. Motion carried.

9. Motion to approve right-of-way crossing agreement with Vertical Cold Storage
10. Motion to approve extension of three-year contract for City of Fremont and Department of Utilities brokerage services for property and casualty insurance coverage with Aon Risk Services Central, Inc.

UNFINISHED BUSINESS: Requires individual associated action

11. Ordinance 5565 approving sale of Tech Park property to SLAM Enterprises, LLC (Total Fire) to build a new building for their business (final reading) Motion made by Jensen, seconded by Legband to hold final reading of Ordinance 5565. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Ordinance 5565 is approved.
12. Ordinance 5567 to amend UDC by text change to Table 11-614.02 regarding fences and walls in residential districts (second reading). Motion made by Legband, seconded by Kuhns to hold second reading of Ordinance 5567. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided second reading of the Ordinance.

NEW BUSINESS: Requires individual associated action

13. Move to confirm appointment of Melanie Martinez as Police Officer per Mayor recommendation. Motion made by Ganem, seconded by Kuhns to confirm appointment of Melanie Martinez as Police Officer per Mayor recommendation. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
14. Resolution 2021-063 to approve the Bluestem Commons Replat 2, a replat of Lots 1-12, Block 5, Bluestem Commons, generally located at 36th Street and Little Bluestem Road Motion made by Yerger, seconded by Ellis to amend the Resolution to include whereas statement to include the 9-0 vote of the Planning Commission. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem Voting Nay: Gibson. Motion carried. Motion made by Yerger, seconded by Ganem to approve Resolution 2021-063 as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
15. Ordinance 5569 pertaining to pay plan for officers and employees of the Department of Utilities (first reading). Motion made by Jensen, seconded by Legband to introduce and hold first reading of the Ordinance. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
16. Resolution 2021-064 approving Fremont Technology Park Replat 3 Preliminary Plat Item was continued.
17. Resolution 2021-065 approving Fremont Technology Park Replat 3 Final Plat

Item was continued.

18. Ordinance 5570 pertaining to the sale and conveyance of real estate owned by the City of Fremont (Fremont Technology Park) to McGinn Holdings, LLC pursuant to Nebraska Law (first reading). Council Member Yerger made motions to amend, first to delete paragraphs 20 & 21 of the contract, and amend paragraph #3 to \$7,500. Council Member Yerger withdrew his motions. Motion made by Yerger, seconded by Ellis to correct section 3 of the Ordinance to correct the purchaser from Levander to McGinn Holdings, LLC. Voting Yea: Yerger, Ellis, Jensen, Legband, Sookram, Gibson Voting Nay: Kuhns, Ganem. Motion carried. Motion made by Jensen, seconded by Gibson to introduce and hold first reading of the Ordinance as amended. Voting Yea: Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson Voting Nay: Yerger. Motion carried. City Clerk provided first reading of the Ordinance.
19. Tax Increment Financing Annual Report to Council. Motion made by Yerger, seconded by Gibson to receive Tax Increment Financing Annual Report. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
20. Resolution 2021-066 approving the request of a waiver of driveway length at 904 North Locust Street. Motion made by Ganem, seconded by Kuhns to approve Resolution 2020-066. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
21. Review of Cash Reserve Policy for consideration at May 11, 2021 meeting. No action was taken.

ADJOURNMENT Motion made by Jensen, seconded by Gibson to adjourn; time: 8:40P.M. Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Jensen, Kuhns. Motion carried.

Agenda posted at the Municipal Building on April 21, 2021 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on April 21, 2021. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA Special & Regular City Council Meeting Minutes for April 27, 2021.


Tyler Ficken, City Clerk


Joey Spellerberg, Mayor